



Brian Nickel/R10/USEPA/US  
02/03/2006 02:18 PM

To bedi461@ecy.wa.gov, lora461@ecy.wa.gov  
cc Michael Lidgard/R10/USEPA/US@EPA,  
STOT461@ecy.wa.gov  
bcc

Subject Fw: EWTP Permit and Coastal Zone Management Program -  
Elwha River Project

Betsy and Loree,

I have a preliminary draft NPDES permit and Fact Sheet that I am submitting for your informal review and comment. There are a few things about the permit that I would like to draw your attention to:

1. The turbidity limits are based on meeting the Washington turbidity standards after complete mixing of the effluent and receiving water, on a real-time basis. I know this is not a conservative way to implement the standard, but I am skeptical that this facility would be able to meet a limit based on a critical-conditions analysis, because of the way the water treatment plant is designed and because the river will have a high background sediment load, due to the removal of the dams.
2. I have not required monitoring for whole effluent toxicity, because it did not appear to me that the facility met the criteria necessitating effluent characterization in WAC 173-205-040. There is some disagreement within EPA whether these rules are applicable to this facility if EPA is the permitting authority, but for the time being I am applying them because I don't see a conflict with any federal rule or the Clean Water Act.

Other than that, it is a very straightforward permit. I would appreciate it if you could reply to me with comments by the end of this month. Once we have the kinks worked out, we can talk about how to proceed. In my experience with our non-delegated States (Alaska and Idaho) the next step would be a draft Clean Water Act Section 401 certification by the State, and then we would offer the draft permit for public comment. Also, while we may be required to release this document under the Freedom of Information Act or the State's public disclosure rules, I would prefer to have some discussion on these documents between our agencies before we share them with other parties, if possible.

Thank you,

Brian Nickel

Environmental Engineer  
US EPA Region 10 | Office of Water and Watersheds | NPDES Permits Unit  
Voice: 206-553-6251 | Toll Free: 800-424-4372 ext. 6251 | Fax: 206-553-0165  
Nickel.Brian@epa.gov  
<http://epa.gov/r10earth/waterpermits.htm>

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[attachment "Elwha WTP DP.doc" deleted by Brian Nickel/R10/USEPA/US] [attachment "Elwha WTP DRAFT FS.doc" deleted by Brian Nickel/R10/USEPA/US]

----- Forwarded by Brian Nickel/R10/USEPA/US on 02/03/2006 01:40 PM -----



"Toteff, Sally"  
<STOT461@ecy.wa.gov>  
01/03/2006 09:24 AM

To Brian Nickel/R10/USEPA/US@EPA  
cc

Subject FW: EWTP Permit and Coastal Zone Management Program -  
Elwha River Project

Hello Brian,

Here's a quick response from Loree' Randal. You can contact her directly at lora461@ecy.wa.gov or at 360-407-6068.

What's the status and timing for the NPDES permit you are working on? When you have a draft, will it be possible to share it with Ecology's NPDES person, Betsy Dickes as well as Ecology's 401/CZM lead, Loree' Randal?

Thanks,

Sally Toteff  
Office of Regulatory Assistance, Southwest Region  
Washington Department of Ecology  
POB 47775 - Olympia WA 98507

360-407-6957  
stot461@ecy.wa.gov  
360-407-0284 fax

-----Original Message-----

From: Randall, Loree' (ECY)  
Sent: Tuesday, January 03, 2006 8:41 AM  
To: Toteff, Sally  
Subject: RE: EWTP Permit and Coastal Zone Management Program - Elwha River Project

I am catching up on my emails. Regarding CZM and the Elwha project they will need to go through Ecology's CZM review. Also I can't remember if the treatment plant is on federal land or if it is just a federal facility. If it just a federal facility the NPDES permit will need to be review by the WQ program and a 401 issued.

-----Original Message-----

From: Toteff, Sally  
Sent: Tuesday, December 27, 2005 9:32 AM  
To: Randall, Loree' (ECY)  
Subject: FW: EWTP Permit and Coastal Zone Management Program - Elwha River Project

Here's the question from Brian Nickel at EPA on CZM

Sally

-----Original Message-----

From: Nickel.Brian@epamail.epa.gov [mailto:Nickel.Brian@epamail.epa.gov]

Sent: Thursday, December 22, 2005 11:14 AM  
To: Toteff, Sally  
Cc: dbauman@pn.usbr.gov  
Subject: EWTP Permit and Coastal Zone Management Program

Hi Sally,

I'm getting my ducks in a row to draft the permit for the Elwha Water Treatment Plant. One thing that occurred to me is that, since the plant will be located relatively close to the marine shoreline, we ought to pay attention to Washington's Coastal Zone Management Program. I

imagine this has already been largely worked out, much like the Endangered Species Act consultation, where a single biological opinion encompasses the entire project.

In any case, I will need something in the record that shows that the permit is consistent with Washington's CZMP, or that review is not necessary for this project. Any help you can provide would be much appreciated.

Also, as you saw in the message forwarded to you by Dick Bauman, I will need some information on how to apply Washington's water quality standards to this discharge, given that the river will already have a high sediment load resulting from the dam removal.

Thanks,

Brian Nickel

Environmental Engineer

US EPA Region 10 | Office of Water and Watersheds | NPDES Permits Unit

Voice: 206-553-6251 | Toll Free: 800-424-4372 ext. 6251 | Fax:

206-553-0165

Nickel.Brian@epa.gov

<http://epa.gov/r10earth/waterpermits.htm>

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